

SENATE BILL 433

J2

8lr1574

By: **Senators Pugh, Currie, Exum, Forehand, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Raskin, Robey, Rosapepe, and Peters**

Introduced and read first time: January 31, 2008

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2008

CHAPTER _____

1 AN ACT concerning

2 **Pharmacy Permit Holders – Signs for Reporting Incorrectly Filled**
3 **Prescriptions**

4 FOR the purpose of requiring pharmacy permit holders to post certain signs that
5 ~~inform consumers about how to report incorrectly filled prescriptions; requiring~~
6 ~~that certain signs be in a certain font~~ include certain information regarding the
7 process for resolving incorrectly filled prescriptions in accordance with certain
8 regulations; requiring that certain signs be positioned and readable at certain
9 points where certain drugs are dispensed to consumers; and generally relating
10 to pharmacy permit holders and signs.

11 BY repealing and reenacting, with amendments,
12 Article – Health Occupations
13 Section 12–403(b)(18) and (19)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2007 Supplement)

16 BY adding to
17 Article – Health Occupations
18 Section 12–403(b)(20)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2007 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Health Occupations**

2 12–403.

3 (b) Except as otherwise provided in this section, a pharmacy for which a
4 pharmacy permit has been issued under this title:

5 (18) (i) May maintain a record log of any prescription that is
6 requested to be filled or refilled by a patient in accordance with the provisions of Title
7 4, Subtitle 3 of the Health – General Article;

8 (ii) If the prescription record of a patient includes the patient’s
9 Social Security number, shall keep the Social Security number confidential;

10 (iii) May not list in the record log the type of illness, disability, or
11 condition that is the basis of any dispensing or distribution of a drug by a pharmacist;
12 and

13 (iv) May not list a patient’s Social Security number, illness,
14 disability, or condition, or the name and type of drug received in the record log if the
15 log is available to other pharmacy customers; [and]

16 (19) May not allow an unauthorized individual to represent that the
17 individual is a pharmacist or registered pharmacy technician[.]; AND

18 **(20) SHALL POST A SIGN THAT:**

19 ~~(I) INFORMS CONSUMERS ABOUT HOW TO REPORT AN~~
20 ~~INCORRECTLY FILLED PRESCRIPTION;~~

21 ~~(H) IS IN 18 POINT TYPE~~ INCLUDES INFORMATION
22 REGARDING THE PROCESS FOR RESOLVING INCORRECTLY FILLED
23 PRESCRIPTIONS IN ACCORDANCE WITH EXISTING REGULATIONS; AND

24 ~~(H) (II)~~ IS CONSPICUOUSLY POSITIONED AND READABLE
25 BY CONSUMERS AT THE POINT WHERE PRESCRIPTION DRUGS ARE DISPENSED
26 TO CONSUMERS.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2008.